

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

DON BLANKENSHIP,

Plaintiff,

v.

Civil Action No. 2:19-cv-00549

DONALD TRUMP, JR. and
DOES 1-50 INCLUSIVE,

Defendants.

ORDER

Pending is the plaintiff's motion for an order clarifying or modifying the court's previous memorandum opinion and order staying discovery in this action, filed May 6, 2020 (ECF No. 22).

On August 2, 2019, the defendant, Donald Trump, Jr., filed a Fed. R. Civ. P. 12(b)(6) motion to dismiss the plaintiff's complaint against him. See ECF No. 3. By a February 13, 2020 order, the court, on motion by the defendant, stayed discovery in this action pending resolution of the defendant's motion to dismiss and until further order of the court. See ECF No. 21. Subsequently, on September 8, 2020, the court entered an order staying all events and deadlines in the schedule pending resolution of the defendant's motion to dismiss

and until further order of the court and stating that an amended scheduling order would be entered after the stay is lifted. See ECF No. 27.

In the motion filed May 6, 2020, the plaintiff asks that the court clarify that its order staying discovery in this action does not stay any discovery the plaintiff may seek in connection to a related action brought by the plaintiff that is pending before this court, Blankenship v. Fox News Network, LLC, No. 2:19-cv-00236 (S.D.W. Va.). See ECF No. 22.

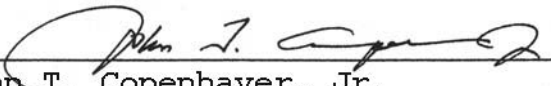
By a memorandum opinion and order entered this same day, the court denied the defendant's motion to dismiss the complaint.

Accordingly, it is ORDERED that the stays entered by the court in its February 13, 2020 memorandum opinion and order and its September 8, 2020 order be, and hereby they are, lifted. The parties are ORDERED to jointly file a proposed schedule to govern the proceedings in this matter by September 22, 2021.

It is further ORDERED that the plaintiff's motion for an order clarifying or modifying the court's previous memorandum opinion and order staying discovery in this action (ECF No. 22) be, and hereby it is, denied as moot.

The Clerk is directed to transmit copies of this order
to all counsel of record and any unrepresented parties.

ENTER: September 1, 2021



John T. Copenhaver, Jr.
Senior United States District Judge